

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 PM-03 INR-05 L-02 ACDA-05 NSAE-00

PA-01 RSC-01 PRS-01 SP-02 TRSE-00 SAJ-01 SS-15 NSC-05

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 9587

INFO USMISSION NATO IMMEDIATE

AMEMBASSY MOSCOW

C O N F I D E N T I A L GENEVA 7384

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: HUMAN CONTACTS - MARRIAGE

REF: GENEVA 7284

1. THE FOLLOWING TEXT ON MARRIAGE, BASICALLY ONE ACCEPTED INFORMALLY LAST WEEK BY NATO DELEGATIONS, WAS TABLED BY AUSTRIAN DISCUSSION LEADER IN AN INFORMAL SESSION DEC 9 AFTER TENTATIVE AGREEMENT WITH SOVIETS. TEXT CONCEIVABLY COULD POSE LEGAL PROBLEMS FOR USG, WHICH DEPT MAY WISH TO CONSIDER. MEANWHILE, UNLESS LAST-MINUTE OBJECTIONS ARE RAISED, MARRIAGE TEXT WILL BE PROVISIONALLY REGISTERED AT SPECIAL MEETING WEDNESDAY, DEC 11.

2. BEGIN TEXT:

A. THE PARTICIPATING STATES WILL EXAMINE FAVOURABLY AND ON THE BASIS OF HUMANITARIAN CONSIDERATIONS REQUESTS FOR EXIT OR ENTRY PERMITS FROM PERSONS WHO HAVE DECIDED TO MARRY A CITIZEN FROM ANOTHER PARTICIPATING STATE.

B. THE PROCESSING AND ISSUING OF THE DOCUMENTS REQUIRED FOR THE ABOVE PURPOSES AND FOR
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THE MARRIAGE WILL BE IN ACCORDANCE WITH THE PROVISIONS

ACCEPTED FOR FAMILY REUNIFICATION.

C. IN DEALING WITH REQUESTS FROM COUPLES FROM DIFFERENT PARTICIPATING STATES, ONCE MARRIED, TO ENABLE THEM AND THE MINOR CHILDREN OF THEIR MARRIAGE TO TRANSFER THEIR DOMICILE TO A STATE IN WHICH EITHER ONE IS NORMALLY A RESIDENT, THE PARTICIPATING STATES WILL ALSO APPLY THE PROVISIONS ACCEPTED FOR FAMILY REUNIFICATION. END TEXT.

3. WE NOTE THAT ABOVE TEXT WOULD REQUIRE THAT DOCUMENTS FOR A MARRIAGE (I.E. MARRIAGE LICENSES, ETC.) WILL BE PROCESSED AND ISSUED IN ACCORDANCE WITH THE FAMILY REUNIFICATION PAPER. THAT PAPER WOULD REQUIRE THAT ISSUANCE OF THESE DOCUMENTS BE DEALT WITH IN A POSITIVE AND HUMANITARIAN SPIRIT AND AS EXPEDITIOUSLY AS POSSIBLE, THAT FEES WILL BE LOWERED WHERE NECESSARY AND THAT APPLICATIONS WILL BE RENEWABLE AND RECONSIDERED WITHOUT FEE AT REASONABLY SHORT INTERVALS. ISSUANCE OF MARRIAGE DOCUMENTS IN U.S., OF COURSE, IS A MATTER WITHIN THE CONTROL OF THE STATES, BUT WE ASSUME THEIR PRACTICES ESSENTIALLY MEET STANDARDS SET OUT IN FAMILY REUNIFICATION PAPER. MENTION OF ISSUANCE OF DOCUMENTS FOR THE MARRIAGE HAS APPEARED IN SUCCESSIVE VERSIONS OF WESTERN (NORWEGIAN) PAPER SINCE IT WAS FIRST TABLED IN SEPTEMBER 1973. HOWEVER, IT WAS GENERALLY ASSUMED REFERENCE TO MARRIAGE DOCUMENTS WAS UNACCEPTABLE TO MOSCOW AND THEREFORE WOULD NOT APPEAR IN FINAL VERSION. AS IT TURNED OUT, SOVIETS DID NOT PRESS THEIR OBJECTIONS.

4. SOVIET AND MAJOR WESTERN DELEGATIONS ARE PRESSING FOR PROVISIONAL REGISTRATION OF MARRIAGE TEXT BEFORE CHRISTMAS BREAK. TEXTUAL AMENDMENTS THAT WOULD MEET POSSIBLE US LEGAL PROBLEMS WOULD ALSO HAVE EFFECT OF REOPENING RESULT OF MONTHS OF NEGOTIATIONS AND WOULD BE STRONGLY OPPOSED BY OUR ALLIES. THEREFORE UNLESS OTHERWISE INSTRUCTED, WE WILL NOT RPT NOT BLOCK PROVISIONAL REGISTRATION OF MARRIAGE PAPER. DALE

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